

CERTIFICATE OF ELECTRONIC TRANSMISSION

PATENT

Attorney Docket No.: 61810-5019-US03

I hereby certify that this correspondence, including listed enclosures is being electronically transmitted in Portable Document Form (PDF) through EFS-Web via Hyper Text Transfer Protocol to the United States Patent and Trademark Office's Patent Electronic Business Center on:

Dated:

April 7, 2008

Signed:

Kathryn A. Degliantoni

Kathryn A. Degliantoni

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Henryk Borowy-Borowski, *et al.*

Application No.: 10/648,371

Filed: August 27, 2003

For: WATER-SOLUBLE  
COMPOSITIONS BIOACTIVE  
LIPOPHILIC COMPOUNDS

Customer No.: 43850

Examiner: Landau, Sharmila Gollamudi

Confirmation No. : 3708

Technology Center/Art Unit: 1616

SUPPLEMENTAL INFORMATION  
DISCLOSURE STATEMENT UNDER 37  
CFR §1.97 and §1.98(i)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In satisfaction of the duty of disclosure under 37 C.F.R. § 1.56, and in accordance with the provisions of 37 C.F.R. §§ 1.97 and 1.98, Applicants wish to draw the attention of the U.S. Patent and Trademark Office to the references cited on the accompanying form PTO/SB/08A.

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. In accordance with 37 CFR §1.98(d), copies of the references which have already been cited in U.S. Application No. 09/285,244 filed April 2, 1999, Application No. 09/511,239 filed February 23, 2000, and Application No. 09/773,592 filed February 2, 2001 are not enclosed. In accordance with 1287 Off. Gaz. Pat. Office 163, 10/19/2004, no copies of U.S. patents and U.S. published applications are enclosed.

It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement, since it is being submitted with an RCE and prior to the first Office Action. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 50-0310. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ute Splittgerber", with a long horizontal flourish extending to the right.

Ute Splittgerber, Ph.D.  
Reg. No. 60,347

MORGAN, LEWIS & BOCKIUS, LLP  
One Market, Spear Street Tower  
San Francisco, CA 94105  
Tel. (415) 442-1000  
Direct Dial: (415) 442-1793  
eFAX: (415) 442-1001  
e-mail: [usplittgerber@morganlewis.com](mailto:usplittgerber@morganlewis.com)  
ATTACHMENTS